

**DOCKET NO.:** CP428 (CEPH-3873) (FORMERLY 225326)  
**Application No.** 10/720,583  
**Office Action Dated:** May 17, 2006

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1-6. Canceled.

7. (Currently amended) ~~The pharmaceutical composition of claim 1 An oral pharmaceutical composition comprising modafinil particles, colloidal silicon dioxide, crospovidone and povidone, said composition having a dissolution rate in 0.1N HCl at 37°C of more than 80% in 30 minutes,~~ wherein at least about 5% of the cumulative total of said modafinil particles have a diameter of more than about 250 $\mu$ .

8. (Currently amended) The pharmaceutical composition of claim [[1]] 7, wherein at least about 10% of the cumulative total of modafinil particles have a diameter of more than 200 $\mu$ .

9. (Currently amended) The pharmaceutical composition of claim [[1]] 7, wherein at least about 15% of the cumulative total of modafinil particles have a diameter of more than about 190 $\mu$ .

10. (Currently amended) The pharmaceutical composition ~~as claimed in claim 1 is further characterized by that the of claim 7, wherein the median of the cumulative total of~~ modafinil particles is greater than 60 $\mu$ .

11. (Currently amended) The pharmaceutical composition of claim 10, wherein the median of the cumulative total of modafinil particles is greater than about 80 $\mu$ .

12. (Currently amended) The pharmaceutical composition of claim [[1]] 7, wherein said composition comprises 100 milligrams of said modafinil.

13. (Currently amended) The pharmaceutical composition of claim [[1]] 7, wherein said composition comprises about 200 milligrams of said modafinil.

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14. (Currently amended) A pharmaceutical composition according to claim [[1]]  
7 which is bioequivalent to Provigil® tablets of the same strength the modafinil drug  
identified by the Food and Drug Administration as the reference listed modafinil drug.